

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

SCOTT KEITH ERNST,
Plaintiff,

v.

DAVID FRANCES RAMOS, et al.,
Defendant.

No. 2:21-cv-0813 DAD AC P

ORDER

Plaintiff is a state prisoner proceeding pro se with this civil rights action filed pursuant to 42 U.S.C. § 1983. By order filed February 6, 2024, this case was referred to the court's Post-Screening ADR (Alternative Dispute Resolution) Project and stayed for a period of 120 days. ECF No. 47. That order provided defendants the opportunity to request opting out of the ADR Project based on a good faith belief that a settlement conference would be a waste of resources. Id. at 2. Defendants Nelson, Wong, Ashe, Miller, Ramos, Singh, Akhila, and Ginwalla now request to opt out of the Post-Screening ADR Project and that the stay be lifted. ECF Nos. 53, 55. Having reviewed the requests, the court finds good cause to grant them.¹ The court will set a schedule for discovery and pretrial motions once defendants Nelson, Wong, Ashe, Miller, Ramos,

¹ Defendant Miraflor, who is represented by separate counsel, has not moved to opt out of the Post-Screening ADR Project. However, since all other defendants who have been served or waived service have moved to opt out of early ADR, the ADR stay will be lifted and the case will proceed as to all defendants.

1 and Singh have answered the complaint.²


2 Good cause appearing, IT IS HEREBY ORDERED that:

3 1. Defendants' requests to opt out of the Post-Screening ADR Project (ECF Nos. 53, 55)
4 are GRANTED;

5 2. The ADR stay of this action, commencing February 6, 2024 (ECF No. 47), is
6 LIFTED; and

7 3. Within twenty-one days of the filing of this order, defendants Nelson, Wong, Ashe,
8 Miller, Ramos, and Singh shall file a response to the complaint.

9 DATED: April 9, 2024

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11 ALLISON CLAIRE
12 UNITED STATES MAGISTRATE JUDGE
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28 ² Defendants Mirflor, Akhila, and Ginwalla have already answered the complaint. ECF Nos. 51, 54.